

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 1:14CR2-LG-RHW-1

WILLIAM OLIVER COLEMAN, SR.

**ORDER DENYING MOTION FOR
BOND PENDING SENTENCING**

BEFORE THE COURT is the Motion [22] of defendant William Oliver Coleman, Sr., for Bond Pending Sentencing. Coleman waived his right to a detention hearing in this matter because the State of Alabama had placed a “hold” on him. Now that the hold has been lifted, Coleman requests that the Court set conditions of release pending his sentencing on July 2, 2014.

Following an adjudication of guilt and while awaiting sentencing there is a presumption that the defendant will be detained. To avoid the presumption, the defendant must show, by clear and convincing evidence that he “is not likely to flee or pose a danger to the safety of any other person or the community if released.” *See* 18 U.S.C. § 3143(a). Coleman has failed to show by clear and convincing evidence that he is neither a risk of flight nor a danger to the community.

According to the presentence investigation report, Coleman’s advisory sentencing guideline range is 15-21 months imprisonment. In addition, his criminal history category is a level VI, including prior convictions for controlled

substance offenses, third degree assault¹ and reckless endangerment².

IT IS THEREFORE ORDERED AND ADJUDGED that the Motion [22] for Bond Pending Sentencing is **DENIED**.

SO ORDERED AND ADJUDGED this the 20th day of June, 2014.

s/ *Louis Guirola, Jr.*
LOUIS GUIROLA, JR.
CHIEF U.S. DISTRICT JUDGE

¹The presentence investigation report shows that during the April 5, 2005, arrest for assault, Coleman provided the arresting officer with a fictitious name, fought with the officer and attempted to escape from custody. See PSI, ¶ 43.

²The presentence investigation report shows that the 2007 reckless endangerment indictment alleged that Coleman “created a substantial risk of serious physical injury to the public in general and several police officers, to wit: by almost hitting two police cars and struck a vehicle and fled on foot.” See PSI, ¶ 44.